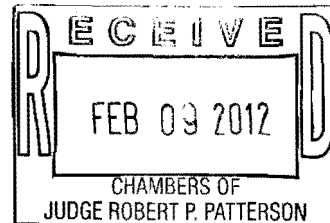


**MEMO ENDORSED**MICHAEL A. CARDOZO  
Corporation Counsel

THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
 100 CHURCH STREET  
 NEW YORK, NY 10007



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February 10, 2012

**VIA FACSIMILE (212) 805-7917**

The Honorable Robert P. Patterson, Jr.  
 United States District Judge  
 Southern District of New York  
 500 Pearl Street  
 New York, NY 10007

USDC SDNY  
 DOCUMENT  
 ELECTRONICALLY FILED  
 DOC #:  
 DATE FILED: 2/14/12

Re: Duchaun Butler v. City of New York, et al., 10 Civ. 7974 (RPP)

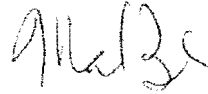
Your Honor:

I am a Senior Counsel in the office of Michael A. Cardozo, Corporation Counsel of the City of New York, representing defendants P.O. Humberto Kibel, Michael Nocerino and Sgt. Jawann Layton in the above-referenced matter. I write to respectfully request that plaintiff's counsel be ordered to provide defendants the order in which they intend to call witnesses in their case in chief no later than by the end of business today. Despite my numerous requests to plaintiff's counsel for same, none has been forthcoming. Given the multitude of witnesses at the trial, which starts Tuesday, fairness dictates that this request, which is common courtesy, be granted.

*Application Granted*  
*Standard*  
*Robert P. Patterson Jr.*  
*USDC*  
*2/10/12*

Thank you for your consideration herein.

Respectfully submitted,



Mark D. Zuckerman  
Senior Counsel

cc: Fred Lichtmacher, Esq. (via facsimile)(212-922-9077)  
Matthew Flamm, Esq. (via facsimile)(718-522-2026)